

REMARKS

This Amendment is in response to the Office Action dated November 1, 2007. In the Office Action, claims 20-39 were rejected. With this Amendment, claims 20, 31 and 37 are amended. It is respectfully submitted that all pending claims are in condition for allowance.

Examiner Interview

The Applicant's attorney would like to thank the Examiner for courtesies extended in a conversation on February 11, 2008. In response to the interview, Applicant has amended the claims.

§103 Rejections

Claims 20-39 were rejected under 35 U.S.C. 103 (a) as being unpatentable over Sleeper (U.S. 6,401,074) and Agarwal et al (U.S. 6,314,466) in view of Grant et al (U.S. 4,660,168). Of these claims, claims 20, 31 and 37 are independent. Claims 20 and 31 are amended to incorporate features in the specification on page 11, lines 4-5 and claim 37 is amended to incorporate features of FIGS. 5-6 and features in the specification on page 11, lines 3-4.

In regards to claim 20, even if the cited references were combined, the combination fails to describe "wherein the control unit is coupled to the customer display program module and includes an internal timer, the control unit is configured to access an infomercial database that includes a sequence of multimedia entries of which the customer display program is configured to display on the customer display device, each multimedia entry is displayed for a duration of time based on the internal timer until a trigger event occurs that interrupts the sequence of multimedia entries and prompts a change in content of the multimedia entries on the customer display device" as claimed. On page three of the Office Action, the Examiner states that Sleeper includes "an internal timer." The Applicant respectfully disagrees with this statement. Instead, Sleeper discloses providing real-time promotional information to a retail customer during a retail transaction on an auxiliary display. In other words, promotional information is being provided to a customer via the display at the same rate as promotional information is being received. There is

no indication that Sleeper includes an internal timer, especially an internal timer that controls a duration of time that multimedia is displayed on a display.

The Examiner further states that “Sleeper fails to explicitly disclose a sequence of multimedia entries of which a customer display program” displays on a customer display device, however, Agarwal et al. discloses “a system/method for providing random access to a multimedia object over a network.” It is respectfully pointed out, however, that even though Agarwal teaches a pre-roll transmission period for each segment of a multimedia data object, the pre-roll allows for the uninterrupted rendering of the data from any selected beginning point to completion. See col. 7, lines 30-37. Clearly, none of the cited references teach or suggest that “each multimedia entry is displayed for a duration of time based on the internal timer until a trigger event occurs.” Instead, Agarwal et al. teaches an uninterrupted rendering of data.

The Examiner further states that “Sleeper and Agrawal fail to disclose . . . wherein a trigger event occurs that interrupts the sequence or multimedia entries.” The Examiner goes on to explain that Grant discloses a customer initiated ATM transaction which includes a CPU 52, a timer 148 and a trigger event and that “It would have been obvious to a person of ordinary skill in the art to add the limitation taught by Grant to the systems of Sleeper and Agrawal because that would interrupt playback sequence of data in the event of failure or malfunction.” The Applicant respectfully disagrees.

Even if all of the cited references were combined, as discussed in MPEP 2141.02(VI), “A prior art reference must be considered in its entirety, i.e., as a whole, including portions that would lead away from the claimed invention” (citing *W.L. Gore & Assoc. v. Garlock*, 220 USPQ 303 (Fed. Cir 1983)). When Grant is considered as a whole, it is clear that tasks in an ATM system are suspended as they wait for an external event. The external event triggers a task to change from a suspended state to an active state. In Grant, trigger events can be one of three types: the signaling of a semaphore, the reception of a message or the expiration of a timer. It is respectfully submitted that even if one were to combine Grant with Sleeper and Agrawal, the combination still fails to describe a trigger event that interrupts a sequence of multimedia entries as claimed let alone prompts a change in content of the multimedia entries on the customer

display device. The trigger of Grant changes a task state from a suspended state to an active state. There is no teaching of a trigger that interrupts a sequence of multimedia entries or one that prompts a change in content of multimedia entries on a customer display device. Furthermore, the Examiner's combination of references is suspect. The Examiner provides reasoning for adding the trigger of Grant to Sleeper and Agrawal because it would interrupt the sequence of data in the event of a failure or malfunction. However, Grant fails to describe a trigger used in such a manner. There is no showing in the prior art for the motivation proffered and no indication of how this knowledge is generally known by one of ordinary skill in the art.

It is respectfully submitted that claim 20 is in condition for allowance. In addition, it is respectfully submitted that claims 21-30 are also in condition for allowance at least based on their dependence on claim 20. However, claims 21-30 are in condition for allowance for additional reasons. For example, the combination of references fail to teach or suggest that "the trigger event causes a corresponding trigger entry to be displayed on the customer display device" as claimed in claim 28. In another example, the combination of references also fail to teach or suggest that "the customer display device comprises a touch sensitive screen" such that customers can interact with the customer display device as claimed in claim 29.

In regards to claim 31, the combination of cited references fail to describe "displaying the sequence of multimedia entries on the customer display device, each multimedia entry is displayed for a duration of time until a trigger event occurs that interrupts the sequence of multimedia entries, the trigger event prompting a change in content of the multimedia entries on the customer display device, the trigger event prompting a change in content of the multimedia entries on the customer display device" as claimed. As previously discussed with reference to claim 20, Sleeper describes promotional information being provided to a customer via a display at the same rate as promotional information is being received and Agarwal describes a preroll transmission period for uninterrupted rendering of data. Instead, claim 31 claims that each multimedia entry is displayed for a duration of time until a trigger event occurs that interrupts the sequence. While Grant describes a trigger event, the trigger event triggers a task in an ATM transaction system to change from a suspended state to an active state. It is respectfully submitted

that even if one were to combine Grant with Sleeper and Agrawal, the references still fail to describe a trigger event that interrupts a sequence of multimedia entries that are displayed on a customer display device let alone that the trigger event prompts a change in content of the multimedia entries as claimed in claim 31

It is respectfully submitted that claim 31 is in condition for allowance. In addition, it is respectfully submitted that claims 32-36 are also in condition for allowance at least based on their dependence on claim 31. However, claims 32-36 are in condition for allowance for additional reasons. For example, the combination of references fail to teach or suggest that “a corresponding trigger event entry is displayed on the customer display device” as claimed in claim 35.

In regards to claim 37, the combination of cited references fail to describe “receiving an input indicative of a trigger event while the sequence of multimedia entries are displayed, the trigger event including an indication of an end of the point-of-sales transaction; and displaying a multimedia entry that corresponds with the trigger event” as claimed. As previously discussed with reference to claims 20 and 31, Sleeper describes promotional information being provided to a customer via a display at the same rate as promotional information is being received and Agarwal describes a preroll transmission period for uninterrupted rendering of data. While Grant describes a trigger event, the trigger event triggers a task in an ATM transaction system to change from a suspended state to an active state. It is respectfully submitted that even if one were to combine Grant with Sleeper and Agrawal, the references still fail to describe a trigger event that interrupts a sequence of multimedia entries that are displayed on a customer display device let alone that the trigger event includes an indication of an end of the point-of-sales transaction as claimed in claim 37.

It is respectfully submitted that claim 37 is in condition for allowance. In addition, it is respectfully submitted that claims 38-39 are also in condition for allowance at least based on their dependence on claim 37. Further, claims 32-36 are in condition for allowance for additional reasons.

It is respectfully submitted that all pending claims are in condition for allowance. Reconsideration and favorable action is respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: /Leanne Taveggia Farrell/
Leanne Taveggia Farrell, Reg. No. 53,675
900 Second Avenue South, Suite 1400
Minneapolis, Minnesota 55402-3244
Phone: (612) 334-3222
Fax: (612) 334-3312

LTF/jmt